

April 4, 1988

MEMORANDUM

TO: Lee Sim, Distribution Engineer

FROM: Gerald W. Stoker, Area Engineer ~~AS~~

SUBJECT: Larry L. Little Letter 2/5/88

The Larry Little letter is a reply to protests filed by Vaughn Judd and others on the change applications noted; 85-954 (a14542) and 85-955 (a14543) and 85-325 (a14544) filed by Larry Little et al.

The protests on the change applications will be heard on April 21 in Kanab as part of our regular hearing schedule. Additional information may become available at that time but in the interim these are my thoughts:

1. The original change application under 85-325 describes a proposal to drill a well or wells to supplement a diminishing surface water supply in Johnson Wash. Hubert Lambert seemed to think it was a good idea and the change was approved.
2. The change applications listed above are segregations from the original change under 85-325. They spread the action further up the creek, but again, 85-325 is part of a decree-primary surface water right.
3. I believe that Larry is trying to lay down a smoke-screen for the protest hearings. No one has come out in favor of an organized distribution system on Johnson Canyon and that is really what he is trying to say with his "measuring devices" and recording system.
4. In my lifetime, the surface flow on Johnson Canyon has diminished dramatically since all of the erosion took place 40 to 60 years ago. The wells that have been drilled in the past 20 years have not, in my estimation, caused any interference with the surface water supplies. Except in given and presupposed circumstances, like the LDS Stake Farm, etc.

I would suggest that we see what comes out of the hearing and subsequent memorandum decisions. Let Larry Little lead the fight for measuring devices if he will!